

Article - Public Utilities

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§25–106.

(a) Except for assessments and benefit charges authorized by Subtitle 2 of this title, this section applies to any fee or charge imposed by the Commission.

(b) (1) A person may file a written claim with the Commission, in a form and containing the information and supporting documents required by the Commission, for a refund of the amount of a fee or charge the person paid to the Commission that exceeds the amount that is properly and legally payable.

(2) If the property for which the fee or charge was paid has been transferred to a new owner after the payment, the new owner may file the claim for the refund.

(c) (1) On the receipt of a claim for a refund under subsection (b) of this section, the Commission shall investigate the merits of the claim.

(2) On the request of the claimant, the Commission, or the Commission's designee, shall hold a hearing on the claim.

(3) A claim shall be disallowed unless it is filed within 3 years after the date of the payment for which the refund is requested.

(4) The Commission shall pay interest on any amount refunded under this section, calculated at the rate of 6% per year, starting 180 days from the date the claim was made.

(d) If the Commission fails to reach a final decision on a claim within 180 days after the date the claim is filed, the failure shall be deemed a final rejection of the claim.

(e) Within 30 days after the date of final action by the Commission on a claim for a refund filed under subsection (b) of this section, a petition for judicial review may be filed with the circuit court as provided in Title 7, Chapter 200 of the Maryland Rules.

(f) Notwithstanding any other provision of this section, the Commission may refund a payment that the Commission determines was paid in excess of the amount that was properly and legally payable, whether or not the person who made the payment files a claim for a refund.

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